

individually licensed CTS, under that CTS license.

(d) The term of each IVDS system license and each CTS license is five years.

[57 FR 8275, Mar. 9, 1992, as amended at 57 FR 36373, Aug. 13, 1992]

§ 95.813 Eligibility.

(a) An entity is eligible to hold an IVDS system license and its associated individual CTS licenses if:

(1) The entity is an individual who is not a representative of a foreign government; or

(2) The entity is a partnership and no partner is a representative of a foreign government; or

(3) The entity is a corporation organized under the laws of the United States of America; or

(4) The entity is a trust and no beneficiary is a representative of a foreign government.

(b) No entity is eligible to hold an IVDS system license if:

(1) The entity already holds an IVDS system license or has an interest in an IVDS system license for the same service area.

(2) The entity had an IVDS system license canceled within the past three years for failure to meet the construction requirements specified in § 95.831.

(c) Each individually licensed CTS must also be held by the IVDS system license for the service area in which the CTS is located.

[57 FR 8275, Mar. 9, 1992, as amended at 58 FR 25952, Apr. 29, 1993]

§ 95.815 License application.

(a) An application for an IVDS system license may be filed by an eligible applicant for a service area only when there are less than two existing IVDS system licenses.

(b) Each application for an IVDS system license must be made on a separate FCC Form 600, and must be submitted to the Federal Communications Commission, Interactive Video and Data Service, P.O. Box 358365, Pittsburgh, PA 15251-5365. Each application for a CTS license where the CTS antenna exceeds 6.1m (20 feet) (see § 95.811(b)) must be made on a separate FCC Form 574, and must be submitted

to the address set forth in § 1.1102 of this chapter.

(c) Each application shall be personally signed by the applicant, if the applicant is an individual; by one of the partners, if the applicant is a partnership; or by an officer or duly authorized employee, if the applicant is a corporation.

(d) Each application for an IVDS system license must include the following:

(1) A cover sheet specifying the applicant's name and address and the specific service area number and name as defined in § 95.803.

(2) A completed application (FCC Form 600).

(3) A plan showing how the applicant intends to minimize co-channel interference and interference to adjacent channel users and a showing that the proposed system will provide coverage (39 dbu) to at least 50 percent of the population (1990 census) or land area within the service area.

(e) Each IVDS system license is licensed for an unlimited number of CSTs that meet the 6.1 meter (20 foot) criteria.

(f) Each request by an IVDS system licensee to add, delete, or modify an individually licensed CTS (the CTS antenna exceeds 6.1m (20 feet) (See § 95.811(b))) must include the following:

(1) A cover sheet specifying the licensee's name and address and the specific service area number and name where the IVDS system is located.

(2) A description of the system after the proposed addition, deletion, or modification, including the population in the service area, the number of component CTSs, and an explanation of how the system will satisfy the service requirements specified in § 95.831.

(3) A separate application (FCC Form 600) for each CTS that is being added or modified.

(4) The license for each CTS that is being deleted.

(g) Any application not complying with the Commission's Rules will be dismissed.

(h) Each application will be processed on a first-come-first-served basis.

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